

REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 9-10 and 17-24 are pending in the application, with Claims 9 and 10 amended, Claims 11-16 cancelled and Claims 17-24 added by the present amendment.

In the outstanding Office Action, Claims 9-16 were rejected under 35 U.S.C. § 102(e), as being anticipated by Uchiyama et al. (U.S. Patent No. 6,534,751).

Claims 9 and 10 are amended to more clearly describe and distinctly claims Applicants' inventions. New Claims 17-24 are directed to alternative embodiments of Applicants' disclosed invention. Support for amended Claims 9-10 and new Claims 21-22 is found in Applicants' original Claims 9-10 and Figs. 3-9. New Claims 17-23 are supported by Fig. 1. New Claim 18 is supported at lines 5-8 on page 17 and line 32 on page 17 to line 1 on page 18 in the specification. New Claim 19 is supported at lines 8-12 on page 9 in the specification. New Claims 20 and 24 are supported at lines 31-33 on page 8 in the specification. No new matter is added.

The outstanding rejections under 35 U.S.C. §102(e) is respectfully traversed in view of the fact that the present application has a PCT priority date of May 26, 2000 which predates the effective U.S. filing date (February 28, 2001) of Uchiyama et al. Accordingly, Uchiyama et al. may not be applied under 35 U.S.C. §102(e).¹

¹ For reference publications of patent applications filed under 35 U.S.C. § 1.111, no benefit of the filing date of the foreign application is given under 35 U.S.C. § 102(e) for prior art purposes. In re Hilmer; MPEP § 706.02(f).

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
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Gregory J. Maier
Attorney of Record
Registration No. 25,599
Michael E. Monaco
Registration No. 52,041